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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,183	06/30/1999	MASAMI KATO	862.2914	7586

5514 7590 12/10/2003

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NEW YORK, NY 10112

EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/343,183

Applicant(s)

KATO, MASAMI

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-30,40,46 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-30,40,46 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the Amendment C filed on 10/27/2003. Claims 1-18, 31-39, 41-45 and 47 have been cancelled. Claims 19, 21, 23-24, 26-27, 29, 40 and 46 have been amended. Claim 48 has been added as a new claim. Claims 19-30, 40, 46 and 48 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 19-24, 26, 40, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US 5,991,276), in view of Newlin (US 5,774,857).**

4. As to claims 19 and 22, Yamamoto teaches a multipoint videoconference system (in real-time) including a videoconference server including a data communication control apparatus, comprising:

an image generating device adapted to generate image data (Yamamoto, Video Camera 15 of Fig. 4);

a control device adapted to control a way of distributing data corresponding to the plurality of connected communication terminals (Yamamoto, ATM Switching System Controller 8a of Fig. 2, C4: L3-21 and L48-57); and

a data distributing device adapted to distribute the generated text data, instead of the recognized voice data, generated by the voice recognition device, to the second terminal with the image data (i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8) (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57).

However, Yamamoto does not explicitly teach voice recognition device for recognizing voice data and generating text-data based upon the recognized voice data.

In the related art, Newlin teaches a method for providing a visual display of speech, such as the visual display of a received audio signal in telecommunications (such as for both telephony and for audio/video conferencing in real-time), especially useful for the hearing impaired, wherein as illustrated in Fig. 1, the speech visualization subsystem 101 receives audio signals from network 104 and the processor 130 provides for the conversion of the received audio signal (from the network 104 via the network interface 110) into a visual or text representation of speech to be displayed on the video displays 225 (Newlin, Fig. 1, C5: L22-26 and L63-65).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto and Newlin to include the speech-text conversion means to recognize voice data and to generate text data based upon the recognized voice data as suggested by Newlin because it would allow the system to provide a visual display of speech (voice data) for participants of a conference that can communicate via text data but not voice data, or especially for the hearing impaired; and also text data packets representing speech are streaming at a lower data rate and the transmission of the text data packets may be performed at a lower bandwidth therefore faster than the transmission of voice data packets over a network.

5. As to claim 20, Yamamoto-Newlin teaches the apparatus of claim 19, wherein said data distributing device distributes the text data in real-time (i.e., Yamamoto teaches a multipoint videoconference system in real-time).

6. As to claims 21 and 23-24, Yamamoto-Newlin teaches the apparatus of claim 19, wherein said data distributing device further distributes the text data, which has been entered from the second terminal, to the first terminal; and wherein the first and second terminals have a data conferencing function based upon text-chat data (Yamamoto, C6: L49-51 and C8: L25-63).

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7. As to claim 26, Yamamoto-Newlin teaches the system as in claim 19, wherein the second terminal is connected via the Internet Protocol (each video conference terminal transmits a video signal, audio signal, and a material data signal over an ATM network, i.e., via Internet Protocol) (Yamamoto, Abstract and Newlin, C4: L40-67 and C5: L1-13).

8. Claims 40 and 46 are corresponding control method and recording medium claims of claim 19; therefore, they are rejected under the same rationale.

9. As to claim 48, Yamamoto-Newlin teaches a data communication control apparatus for controlling distribution of data among a plurality of connected communication terminals, comprising:

a connection device adapted to connect among the plurality of connected communication terminals, including at least a first type of terminal which can communicate via voice data and a second type of terminal which can communicate via text data but not voice data (Yamamoto, the ATM-SW8 of Figs. 2-3 and Newlin, the Speech Visualization apparatuses 101 and 202 of Figs. 1-2);

an image generating device adapted to generate image data (Yamamoto, Video Camera 15 of Fig. 4); and

a data distributing device adapted to distribute the image data to the first type of terminal or the second type of terminal with the image data (i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various

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materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8) (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57), wherein said data distributing device further comprises:

a voice recognition device adapted to recognize voice data that has been entered to the data communication control apparatus from the first type of terminal and to generate text data based upon the recognized voice data (Newlin teaches the speech visualization subsystem 101 receives audio signals from network 104 and the processor 130 provides for the conversion of the received audio signal from the network 104 via the network interface 110 into a visual or text representation of speech to be displayed on the video displays 225 as illustrated in Fig. 1, C5: L22-26 and L63-65);

a control device adapted to control a way of distributing data corresponding to the plurality of connected communication terminals (Yamamoto, ATM Switching System Controller 8a of Fig. 2, C4: L3-21 and L48-57); and

a second data distributing device adapted to distribute the generated text data, instead of the recognized voice data, generated by the voice recognition device, to the second terminal with the image data (i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8) (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57).

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10. Claims 25, 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto, in view of Newlin, and further in view of Berry et al. (US 6,404,747), herein after referred as Berry.

11. As to claim 25, Yamamoto-Newlin teaches the system as in claim 22, but does not explicitly teach the text-chat data is in compliance with ITU-T Recommendation T.120.

In the related art, Berry teaches a Video Multimedia Call Center (VMMCC) with multipoint access through a PBX (private branch exchange) within an ACD (automatic call distribution) environment has both audio and video capabilities wherein the T.120-series of recommendations to provide a means for telecommunicating all forms of data/telematic media between 2 or more endpoints (Berry, C5: L46-67 and C6: L1-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto-Newlin and Berry wherein the text-chat data is in compliance with ITU-T Recommendation T.120 since such methods/techniques were well-known and conventionally employed in the field of multimedia communications.

12. As to claims 27-28, Yamamoto-Newlin-Berry teaches the system as in claim 26, wherein a web page (HTML-format hypertext data) is generated for the second terminal, including the image data (Yamamoto, five participants, Mr. A to Mr. E) that has entered from the terminals (Berry, C12: L3-8 and Yamamoto, C6: L42-49).

13. As to claims 29-30, Yamamoto-Newlin-Berry teaches the system as in claim 19, wherein the dedicated terminals are dedicated videoconferencing terminals in compliance with any of ITU-T Recommendations H.320, H.323 and H.324; and wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243 (Berry, C6: L5-52).

14. Applicant's request for reconsiderations as well as arguments filed on 10/27/2003 have been fully considered but they are moot in view of the new ground(s) of rejection.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

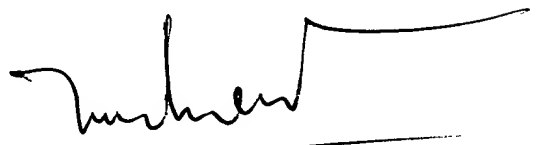
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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen



LE HIEN LUU
PRIMARY EXAMINER